

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA**

RAIL SCALE, INC., a Florida	)	
corporation,	)	
<i>Plaintiff,</i>	)	
	)	
v.	)	No. 1:21-cv-287-TAV-CHS
	)	
WINGFIELD SCALE & MEASURE,	)	
LLC, a Tennessee limited liability	)	
Company,	)	
<i>Defendant.</i>	)	

**THIRD AMENDED SCHEDULING ORDER**

This matter is before the Court upon the parties' Joint Motion for Entry of Amended Scheduling Order [Doc. 59]. By agreement of the parties, and for good cause shown, the referenced motion [Doc. 59] is **GRANTED** and the Court's Second Amended Scheduling Order [Doc. 49] is hereby further **AMENDED** as set forth below.

It is hereby **ORDERED** that the following scheduling deadlines shall be observed by the parties and will be altered only upon further order of the Court either at the Court's own initiative or upon motion of a party supported by good cause. All scheduling deadlines and instructions not specifically amended in this Order shall be controlled by the Court's Second Amended Scheduling Order [Doc. 49].

	<u>Dates</u>	
1	October 1, 2022	<b>Parties' Exchange Lists of Proposed Claim Terms Needing Construction and Indication of Any Terms Subject to Section 112(f).</b>
2	October 15, 2022	<b>Parties' exchange of preliminary claim constructions and extrinsic evidence.</b>

3	October 28, 2022	<b>Filing of joint claim construction and pre-hearing statement.</b> Identifies disputed claim terms, proposed constructions, agreed-upon constructions, and identification of extrinsic evidence relied upon.
4	December 16, 2022	<b>Discovery deadline on claim construction issues.</b>
5	February 17, 2023	<b>Parties Serve and File Claim Construction Opening Briefs and Produce All Supporting Extrinsic Evidence, including any expert witness reports pursuant to Fed. R. Civ. P. 26(a)(2).</b>
6	March 17, 2023	<b>Parties Serve and File Responsive Claim Construction Briefs, including any responsive expert witness reports pursuant to Fed. R. Civ. P. 26(a)(2).</b>
7	March 18 to April 1, 2023	<b>Depositions of any expert witnesses relied upon by the parties in support of their claim construction positions</b>
8	April 6, 2023	<b>Reply Briefs on claim construction</b>
9	April 13, 2023	Parties to submit <b>Claim Construction Chart.</b>
10	TBD at Court's convenience before Markman Hearing	<b>Parties to Present Technology Tutorial</b>
10	April 25, 2023	<b>Claim Construction (Markman) Hearing at 10:00 a.m. – Live</b>

**SO ORDERED.**

/s/ Christopher H. Steger  
UNITED STATES MAGISTRATE JUDGE